

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:

JOHN IRWIN,

Debtor.

:

:

Chapter 11

:

:

Bky. No. 10-14407 ELF

O R D E R

AND NOW, upon consideration of the Motion for a Declaration that the Automatic Stay Does Not Apply and for Relief from the Stay, filed by of Marion A. Hecht, Receiver (“the Receiver”), and the responses thereto, and after a hearing, and for the reasons set forth in the accompanying Memorandum,

It is hereby **ORDERED** and **DETERMINED** that:

1. The Motion is **GRANTED IN PART AND DENIED IN PART**.
2. The automatic stay **DOES NOT APPLY** to the claims described in the Memorandum that the Receiver proposes to assert against Lucy Irwin (in her individual capacity and not as a tenant by the entireties), Karen McAteer, Nancy Phillips and Carole Sander (collectively, “the Non-Debtor Targets”) in order to recover property the Debtor allegedly transferred to them.
3. Notwithstanding Paragraph 2 and by agreement of the Receiver, absent further order of this court, the Receiver shall not assert any claim against the Non-Debtor Targets that a transfer from the Debtor to any of them is avoidable under 12 Pa. C.S. §§5101-5110.
4. In all other respects, the Motion is **DENIED**.



Date: September 15, 2011

ERIC L. FRANK
U.S. BANKRUPTCY JUDGE